OREGON DEPARTMENT OF TRANSPORTATION
IN COOPERATION WITH THE
LEAGUE OF OREGON CITIES

SPECIAL CITY ALLOTMENT PROGRAM GUIDELINES AND WORKING AGREEMENT

I. Purpose

The purpose of this document is to establish guidelines and working procedures for administering the Special City Allotment (SCA) Program.

II. Policy

It is the policy of the Oregon Department of Transportation (ODOT), Highway Division (State), to cooperate with the League of Oregon Cities (LOC) in the adoption of procedures and guidelines for selecting, developing, financing and constructing SCA projects in accordance with ORS 366.805.

III. Organization

A. The Program Section and the Region Engineers are responsible for administering the SCA Program on behalf of the State.

B. Cities in Oregon are governed by Councils or Commissions, staffed with an organization capable of administering the selection, development, and improvement of their streets under the SCA Program, in cooperation with the State.

IV. Financial Participation and Fund Allocation

A. Special City Allotment Account

1. The SCA account is established under ORS 366.800 and 366.805. Commencing January 1, 1991 annually the sum of $500,000 shall be withdrawn from the Appropriation of Highway funds for Cities and $500,000 shall be withdrawn from money available to the Department of Transportation from the State Highway fund.

2. The money is to be set up in a separate account to be administered by the Oregon Transportation Commission.

3. Money from the account shall only be used upon streets that are: 1) not a part of the county or state highway system; 2) that are within cities of less than 5,000 population; and 3) that are inadequate for the capacity they serve or are in a condition detrimental to safety.

B. Administration

1. State shall investigate all applications each year and make recommendation to the Oregon Transportation Commission on selection of cities to receive annual allotments.

2. Upon approval by the Commission, State and City shall execute an agreement for the City to administer the project and receive a maximum allotment of $25,000 for any one project.

3. After execution of the agreement, City shall submit plans, estimates, and specifications to State for review. Upon concurrence, State shall advance City one-half (50%) of the estimated cost of the project, not to exceed $12,500.

4. City shall, if the project is canceled by City, repay the full amount of funds advanced by State.

5. City shall complete construction of the project within two years of the date of Commission approval, unless extension of time is granted.

6. City shall, upon completion of project, certify to State that project has been constructed in substantial conformance with plans and specifications.

7. State shall perform final inspection of the project and, if acceptable, request documentation of project costs from City, for final payment by State.

V. <u>System Selection and Eligibility</u>

A. Cities of less than 5,000 population, based on the latest available Federal census, shall be eligible to participate in the program.

B. To be eligible, city streets may not be a part of the county or state road system, and must be inadequate for the capacity they serve or are in a condition detrimental to safety.

C. City must have completed all previous SCA projects.

D. Any portion of a street, upon which SCA funds have been expended, is not eligible for additional SCA funds for a period of ten (10) years following the approval of such funds.

VI. Project Application and Investigation

A. State shall, in January of each calendar year, submit a letter and necessary data to all eligible cities, advising them of the SCA program.

B. City shall make application prior to July 1 of each calendar year for the following years' program.

C. State shall maintain a record of all cities that submit completed resolution and project application forms.

D. For each application received, State shall conduct on-site project investigation, meeting with appropriate city officials, if possible, and discuss project and program.

VII. Project Selection

A. State shall prioritize and recommend the most meritorious projects to the Oregon Transportation Commission (OTC) for approval. Selected projects shall meet the criteria described in ORS 366.805.

B. State shall inform each applicant of OTC action taken on their requested project.

C. State and City shall enter into an agreement for each approved SCA project. The agreement shall be prepared by the State, and describe the project and assign specific responsibilities.

VIII. Preliminary Engineering

A. Design Standards. City standards will apply subject to approval by State. Other standards may be used if they comply with good engineering practice. (i.e., OSHD, APWA, etc.)

B. Project Plan Development. Preliminary Engineering shall be performed by the applicant or consultant and may be included in the total project costs. The City or its consultant shall prepare all plans, specifications, and estimates in conformance with acceptable standards. The City shall advertise for bids and award the contract, unless otherwise agreed upon.

IX. Right-of-Way

The acquisition of real property shall comply with ORS 281.045 through ORS 281.105.

The City shall assume responsibility for the acquisition of all right-of-way at its sole expense. Right-of-Way may be acquired by the City or on behalf of the City, by a consultant or the State as they select. If the State performs the acquisition, a right-of-way services agreement shall be executed setting forth the responsibilities of each party.

X. Utilities

The City shall accept all responsibility for adjustment and relocation of all utility installations.

XI. Construction Engineering

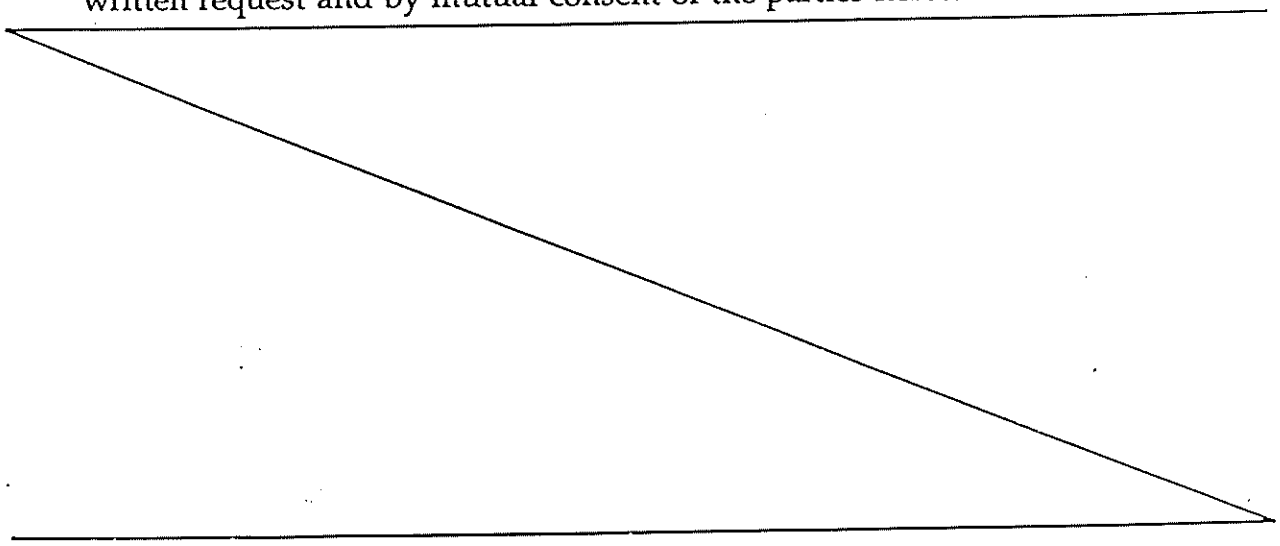
Construction engineering shall be the responsibility of the City and may be included in the total project cost, not to exceed a maximum of $25,000.

XII. Maintenance

Upon completion of construction, the City shall maintain the project at its sole expense.

XIII. Revisions

This document shall be reviewed on a biennial basis, and may be revised at the written request and by mutual consent of the parties hereto.



The Oregon Transportation Commission, by a duly adopted delegation order, authorized its Chairman or Vice Chairman to act in its behalf in approving this agreement. Approval was given for this agreement on February 23, 1990 by Oregon Transportation Commission, which approval is on file in the Commission records. The delegation order also authorizes the State Highway Engineer to execute the agreement on behalf of the Commission.

Signed by Emily Shue
President, League of Oregon Cities (LOC)

Date January 29, 1990

STATE OF OREGON, by and through its Department of Transportation, Highway Division

Signed by William Anhorn
State Highway Engineer

Date February 27, 1990

APPROVED AS TO
LEGAL SUFFICIENCY

By Signed by Cynthia Carter
Attorney in Charge

Date February 1, 1990

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